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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Dane K. FISHER *et al.*

Appln. No.: 09/540,235

Filed: April 3, 2000

Title: **Nucleic Acid Sequences from
Cyanidium caldarium and Uses Thereof**

Art Unit: 1631

Examiner: Michael L. BORIN

Atty. Docket: 38-21(15749)B

**Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences**

Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated August 13, 2002, that resulted in Applicants having claims that have been twice or finally rejected.

Authorization to charge the official fees for this filing is given in the accompanying transmittal letter. A duplicate copy of this Notice is attached.

Respectfully submitted,

Lawrence M. Lavin, Jr.
by *[Signature]*

Lawrence M. Lavin, Jr. (Reg. No. 30,768)
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Date: November 12, 2002

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